

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 3110 – HB 3385

April 23, 2010

SUMMARY OF AMENDMENTS (016109, 017727): Deletes all language after the enacting clause. States that a licensed court reporter is not required to be a notary public to record any court proceeding, administrative law proceeding, deposition, or any other proceeding, and that transcripts taken by a licensed court reporter are not required to be notarized. Exempts court reporters employed by the federal government from the licensure requirement. Extends the effective date from January 1, 2010 to January 1, 2011, that a court reporter practicing without a license will be subject to a civil penalty. States that all licenses expire on June 30 in the year of expiration and allows for a prorated fee for any license that is less than 24 months. Extends the date that a person engaged in court reporting may be eligible for licensure by grandfathering from July 1, 2009, to January 1, 2010. Decreases the maximum fine from \$1,000 to \$500 for practicing court reporting without a license. States the initial expenses of the Board of Court Reporting may be paid using state funds and reimbursed upon receipt of licensing fees. Expands the list of authorized persons who can take depositions to include a licensed court reporter. Requires one member of the Tennessee Board of Court Reporting to be a court reporter that practices any method of court reporting rather than one official court reporter employed by the state. Exempts full-time court reporters employed by the state to pay a licensing or renewal fee.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – One-time start-up costs of \$26,000 are being incurred during FY09-10. License fees will accrue beginning July 1, 2010. The Administrative Office of the Courts will reimburse the General Fund in FY10-11 for the one-time start-up costs. Beginning in FY10-11, the licensing program will generate recurring revenue that will cover its recurring expenses.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Decrease State Revenue – Not Significant

Decrease Local Revenue – Not Significant

Other Fiscal Impact – One-time start-up costs of \$26,000 are being incurred during FY09-10. License fees will accrue beginning July 1, 2010. The Administrative Office of the Courts will reimburse the General Fund in FY10-11 for the one-time start-up costs. Beginning in FY10-11, the licensing program will generate recurring revenue that will cover its recurring expenses.

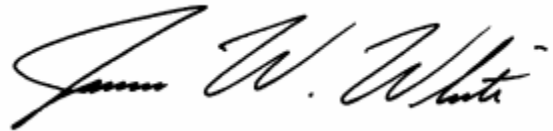
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Assumptions applied to amendments:

- Reducing the maximum fine from \$1,000 to \$500 for practicing court reporting without a license will result in a not significant decrease in state and local revenue.
- According to the Administrative Office of the Courts, the proposed bill will not result in an increase in revenue or expenditures for the Board of Court Reporting. As a result of the delay in receipt of licensure fees, the reimbursement to the General Fund of one-time start-up costs of \$26,000 will also be delayed.
- Exempting a full-time court reporter employed by the state from the licensing fees will result in a not significant increase in state and local revenue.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc